

TERRELL K. BROCK,
Plaintiff,

CVS CORPORATION; LEONORDO
CORONADO; ASHLEY KAMACHO; CITY
OF WHITE PLAINS; JOHN LUIS
FORMOSO; and JOHN DOE WP PD
OFFICER,

AMENDED ORDER
OF SERVICE

4 (VB)

ICE

7/20/22

Copies Mailed/Faxed
Chambers of Vincent L. Brice

Because plaintiff is proceeding in forma pauperis, he is entitled to rely on the Court and the U.S. Marshals Service to effect service. Walker v. Schult, 717 F.3d. 119, 123 n.6 (2d Cir. 2013). Thus, the Clerk is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285”) for Leonardo Coronado, Jose Luis Formosa, and Ashley Kamacho, and further instructed to issue summonses and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon these defendants.

Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that summonses and the complaint be served within ninety days of the date the complaint is filed, plaintiff is proceeding in forma pauperis and could not have served summonses and the complaint until the Court reviewed the second amended complaint and ordered that summonses be issued. The Court therefore extends the time to serve until ninety days after the date summonses are issued. If the second amended complaint is not served within that time, plaintiff should request an extension of time for service. See Meilleur v. Strong, 682 F.3d 56, 63 (2d Cir. 2012).

CONCLUSION

The Clerk is instructed to (i) issue summonses for Leonardo Coronado, Jose Luis Formosa, and Ashley Kamacho; (ii) complete the USM-285 forms with the addresses for these defendants, and deliver all documents necessary to effect service to the U.S. Marshals Service; and (iii) mail a copy of this Order and the second amended complaint to the City of White Plains Law Department at 255 Main Street, White Plains, New York, 10601.

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: July 20, 2022
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge

SERVICE ADDRESSES

1. Leonordo Coronado
Manager, CVS
24 Mamaroneck Avenue
White Plains, New York 10601
2. Ashley Kamacho
CVS Employee
24 Mamaroneck Avenue
White Plains, New York 10601
3. Jose Luis Formoso, ID #1743
White Plains Police Department
77 South Lexington Avenue
White Plains, New York 10601